

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES SMALL )  
BUSINESS ADMINISTRATION, )

Plaintiff, )

vs. )

Case No. 4:05CV1850 CDP

BYRON WINTON, )


Defendant. )

**MEMORANDUM AND ORDER**

This matter is before me on defendant's motion for an extension of time to file an answer to the complaint. Because defendant failed to timely answer or otherwise respond to the complaint, default was entered against him on January 4, 2006. However, in the interests of justice, the Court will grant defendant's motion and set aside the default if defendant files an answer by no later than **February 23, 2006. If defendant fails to respond by that date, however, the Court will grant plaintiff's motion for default judgment.**

Accordingly,

**IT IS HEREBY ORDERED** that defendant's motion for an extension of time [#13] is granted, and defendant is granted leave to file an answer or otherwise respond to the complaint by no later than **February 23, 2006.**

A handwritten signature in cursive script, reading "Catherine D. Perry", is written above a horizontal line.

CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 9th day of February, 2006.